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Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

Proposed programme budget for the biennium 2004-2005

Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

Programme budget implications of draft resolution A/C.6/58/L.18

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

I. Introduction

1. At its 23rd meeting, on 6 November 2003, the Sixth Committee adopted draft resolution A/C.6/58/L.18. The Committee was informed of the programme budget implications of the draft resolution in a statement submitted by the Secretary-General (A/C.6/58/L.21).

II. Requests contained in the draft resolution

2. By operative paragraphs 2, 7 and 8 of draft resolution A/C.6/58/L.18, the General Assembly would:

(a) Decide that the Special Committee shall hold its next session from 29 March to 8 April 2004;

(b) Commend the Secretary-General for his continued efforts to reduce the backlog in the publication of the *Repertory of Practice of United Nations Organs*, and endorse the efforts of the Secretary-General to eliminate the backlog in the publication of the *Repertoire of the Practice of the Security Council*;

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(c) Encourage the Secretary-General in his continuous efforts to eliminate the backlog in the *Repertory of Practice of United Nations Organs* and in the *Repertoire of the Practice of the Security Council*, including by exploring options involving cooperation with academic institutions as a means to achieve this aim without prejudice to the continuation of their timely publications.

III. Relationship of the request to the programme of work for the biennium 2004-2005

3. The request contained in paragraph 2 of the draft resolution is related to (a) subprogramme 3, Progressive development and codification of international law, of programme 5 of the medium-term plan for the period 2002-2005,[1] and (b) section 8, Legal affairs, and section 2, General Assembly affairs and conference services, of the programme budget for the biennium 2004-2005.[2]

4. The provisions set out in paragraphs 7 and 8 of draft resolution A/C.6/58/L.18 relate also to section 2, General Assembly affairs and conference services, and section 8, Legal affairs, of the programme budget for the biennium 2004-2005, as well as section 3, Political affairs; section 4, Disarmament; section 5, Peacekeeping operations; section 9, Economic and social affairs; section 24, Human rights; section 29B, Office of Programme Planning, Budget and Accounts; and section 29C, Office of Human Resources Management, of the programme budget for the biennium 2004-2005. No provision was included in the proposed budgets of the above-listed sections for the coordination and preparation of the *Repertory*. Accordingly, there is no current relationship between the request and the programme of work.

IV. Activities by which the request would be implemented

5. Should the General Assembly adopt draft resolution A/C.6/58/L.18, the activities required for the implementation of its paragraph 2 would be as follows: the Special Committee would hold its session at Headquarters from 29 March to 8 April 2004. The Secretary-General would accordingly provide the Special Committee with the necessary facilities and servicing for the performance of its work.

6. As regards the activities related to the *Repertory of Practice of United Nations Organs* referred to in paragraphs 7 and 8 of draft resolution A/C.6/58/L.18, the Secretary-General, in his report "Strengthening of the United Nations: an agenda for further change" (A/57/387 and Corr.1), in keeping with the goal of ensuring that the Organization devotes its attention to the priorities set by Member States and in view of resource limitations, indicated in action 10 (d) that the *Repertory* should no longer be produced by the United Nations. Accordingly, no provision was included for this purpose in the proposed programme budget for the biennium 2004-2005.

7. Draft resolution A/C.6/58/L.18 reiterates the mandate, based on previous resolutions, that the Secretariat departments responsible for section 2, General Assembly affairs and conference services; section 3, Political affairs; section 4,

[1] *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 6* and corrigendum (A/57/6/Rev.1 and Corr.1).

[2] A/58/6 (sect. 8) and A/58/6 (sect. 2).

Disarmament; section 5, Peacekeeping operations; section 9, Economic and social affairs; section 24, Human rights; section 29B Office of Programme Planning, Budget and Accounts; and section 29C, Office of Human Resources Management, would also be responsible for the preparation of *Repertory* studies on individual articles of the Charter of the United Nations.

8. With reference to section 8, Legal affairs, the activities to be implemented would include the following:

(a) Preparation of *Repertory* studies on individual articles of the Charter of the United Nations;

(b) Coordination of efforts to produce *Repertory* studies and improve working methods.

V. Modifications required in the programme of work for 2004-2005

9. In order to reflect the provisions of draft resolution A/C.6/58/L.18, the narrative of the proposed programme budget for the biennium 2004-2005 for all the relevant sections would need to be modified so as to amend the outputs already foreseen in respect of each section. Subject to the decision of the General Assembly at its fifty-eighth session, the narrative will be incorporated into the final version of the proposed programme budget for the biennium 2004-2005.

Outputs

Section 2: General Assembly affairs and conference services
Paragraph 2.33 (b)

Under subprogramme 1, General Assembly and Economic and Social Council affairs, under "Other substantive outputs" insert the following:

"(ii) Non-recurrent publications: relevant sections of the *Repertory of Practice of United Nations Organs*".

Subsequent activities would require renumbering.

Section 3: Political affairs
Paragraph 3.41 (b)

For subprogramme 3, Security Council affairs, under "Other substantive activities (regular budget and extrabudgetary)", replace item (i) with the following:

"(i) Recurrent publications: the twelfth Supplement to the *Repertoire of the Practice of the Security Council (1993-1995)* and relevant sections of the *Repertory of Practice of United Nations Organs*".

Section 4: Disarmament
Paragraph 4.38 (b)

For subprogramme 4, Monitoring, database and information, under "Other substantive activities (regular budget)", add the following to the end of item (i):

"relevant sections of the *Repertory of Practice of United Nations Organs*".

Section 8: Legal affairs
Paragraph 8.39 (b)

Under subprogramme 3, Progressive development and codification of international laws, under "Other substantive activities (RB)", add the following to the end of item (i):

"relevant sections of the *Repertory of Practice of United Nations Organs*".

VI. Additional requirements

10. The provisions in respect of the *Repertory* set out in paragraph 7 of draft resolution A/C.6/58/L.18 would entail an additional amount for each of the relevant sections of the proposed programme budget, as set out in the table.

Table
Additional resource requirements by section for the proposed programme budget for the biennium 2004-2005 in respect of the *Repertory of Practice of United Nations Organs* arising from draft resolution A/C.6/58/L.18

Section	*Department/office*	*2004-2005 estimates* (thousands of United States dollars)*
2	Department of General Assembly and Conference Management	590.1
3	Department of Political Affairs	178.3
4	Department for Disarmament Affairs	30.0
5	Department of Peacekeeping Operations	583.3
8	Office of Legal Affairs	82.5
9	Department of Economic and Social Affairs	560.9
24	Office of the United Nations High Commissioner for Human Rights	410.9
29B	Office of Programme Planning, Budget and Accounts	55.5
29C	Office of Human Resources Management	66.1
Total		2 357.6

* Estimates are at 2004-2005 rates.

VII. Potential for absorption during the biennium 2004-2005

11. As concerns the provisions of paragraph 2 of draft resolution A/C.6/58/L.18, the conference-servicing requirements, at full cost, for the nine-day session in March and April 2004 are estimated at $275,714. The session has already been programmed in the calendar of conferences and meetings for the biennium 2004-2005; hence, no additional appropriation would be required.

12. As concerns the requirements for the *Repertory*, no provision has been made in the proposed programme budget for the biennium 2004-2005. It would therefore be necessary for resources to be provided through an additional appropriation.

VIII. Contingency fund

13. It will be recalled that under the procedure established by the General Assembly in its resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the approved or proposed programme budget. Under that procedure, if additional expenditures are proposed that exceed the resources available from the contingency fund, the activities concerned can be implemented only through the redeployment of resources from low-priority areas or the modification of existing activities. Otherwise, such additional activities would have to be deferred to a later biennium.

IX. Summary

14. **In summary, the implications of the proposals contained in draft resolution A/C.6/58/L.18 for the proposed programme budget for the biennium 2004-2005 would be as follows:**

(a) **No additional provision would be required for servicing the nine-day session of the Special Committee in March and April 2004;**

(b) **An additional appropriation of $2,357,600 (at 2004-2005 rates), as a charge against the contingency fund, would be required in respect of the *Repertory of Practice of United Nations Organs* for the proposed programme budget for the biennium 2004-2005.**